



UNITED STATES PATENT AND TRADEMARK OFFICE

A

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/928,610	08/13/2001	Fred S. Cook	1480	7517
28004	7590	10/05/2005		
SPRINT 6391 SPRINT PARKWAY KSOPHT0101-Z2100 OVERLAND PARK, KS 66251-2100			EXAMINER HU, JINSONG	
			ART UNIT 2154	PAPER NUMBER

DATE MAILED: 10/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/928,610

Applicant(s)

COOK, FRED S.

Examiner

Jinsong Hu

Art Unit

2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 July 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1- 32 are presented for examination.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 4-6, 8-9, 11-13, 16-19, 21-22, 25-30 and 32 are rejected under 35 U.S.C. 102(b) as being anticipated by Smith (US 6,026,078).

4. As per claims 1, 4-6, 8-9 and 11, Smith teaches the invention as claimed including a communication hub [44, Fig. 3] comprising:

a control system [Fig. 3] configured to switch between a configuration mode [i.e., hub mode] and an operation mode [i.e., station mode; col.1, line 60 – col. 2, line 9], wherein responsive to the configuration mode the control system is configured to receive a registration request from an unauthorized communication device [col. 3, lines 40-48] and process the registration request to automatically authorize the communication device for use with the communication hub [col. 3, lines 49-60], and wherein responsive to switching to the operation mode the control system is configured

Art Unit: 2154

to control an exchange of communications between a plurality of previously authorized communication devices, the newly authorized communication device, and a network system [col. 3, line 61- col. 4, line 13];

a mode selection interface [56, Fig. 3] configured to receive an input from a user that selects one of the configuration mode and the operation mode, and process the input to cause the control system to enter the selected one of the configuration mode and the operation mode [col. 4, lines 43 – 61]; and

an interface [58, Fig. 3] system configured to receive the registration request and exchange the communications between the plurality of previously registered communication devices, the newly registered communication device, and a network system [col. 5, lines 17-25].

5. As per claims 12-13, 16-19 and 21, since they are method claims of claims 1, 4-6, 8-9 and 11, they are rejected for the same basis as claims 1, 4-6, 8-9 and 11 above.

6. As per claims 22, 25-30 and 32, since they are product claims of claims 1, 4-6, 8-9 and 11, they are rejected for the same basis as claims 1, 4-6, 8-9 and 11 above.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

Art Unit: 2154

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 2-3, 7, 14-15 and 23-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smith (US 6,026,078) as applied to claims 1, 4-6, 8-9, 11-13, 16-19, 21-22, 25-30 and 32 above, in view of Reichmeyer et al. (US 6,286,038)

9. As per claims 2-3, 7, 14-15 and 23-24, Smith teaches the invention substantially as claimed in claim 1. Smith does not specifically teach generating a configuration completion message to user. However, Reichmeyer on the other hand teaches generating a configuration completion message to user. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to including Reichmeyer's message to Smith's system to make the system more user friendly by acknowledge the user without delay. One of ordinary skill in the art would have been motivated to modify Smith's system to improve the quality of the service to attract more customs.

10. Claims 10, 20 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smith (US 6,026,078) as applied to claims 1, 4-6, 8-9, 11-13, 16-19, 21-22, 25-30 and 32 above.

11. As per claims 10, 20 and 31, Smith teaches the invention substantially as claimed in claim 1. Smith does not specifically teach the communication device is a

wireless communication device. However, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include wireless communication device in Smith's system because doing so would increase the functionality of the system by allowing the users select the device they prefer or need. One of ordinary skill in the art would have been motivated to modify Smith's system with wireless communication device to provide more option to users.

Conclusion

12. Applicant's arguments filed on 7/7/05 for claims 1-32 have been fully considered but they are not deemed to be persuasive.

In the remarks, applicant argued in substance that (1) Smith does not teach the limitation in claim 1; (2) Smith does not teach authorizing unauthorized devices; (3) The combination of Smith and Reichmeyer is improper.

13. Examiner respectfully traverses applicant's remarks:

A. As to point (1), applicant fails to consider the teaching of the Smith's reference for controlling an exchanging of communication between a plurality devices and network system [col. 3, line 61- col. 4, line 13], i.e., the communication hub [master device 20, Fig. 1] is configured for any number of devices. Furthermore, there is claim language directs the system of the application does not require the use of relays. Thus, Smith does teach the limitation in claim 1.

B. As to point (2), applicant fails to consider the teaching of the Smith's reference for determining whether a device should be permitted to join the network after received the request from the device, the determination is based on the link between the device and hub [col. 3, lines 49-60], i.e., an unauthorized device can be registered or authorized after the determination has been made. Thus, smith teaches authorizing unauthorized devices.

C. As to point (3), the combination of Smith and Reichmeyer is based on the knowledge of one of ordinary skill in the art and logical reason. Thus, the 103(a) rejections for those dependant claims are proper.

Accordingly, Smith and Reichmeyer are still relevant prior art references.

14. THIS ACTION IS MADE FINAL. See MPEP §706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

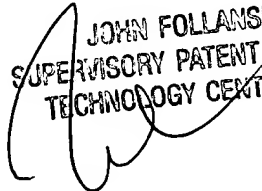
15. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jinsong Hu whose telephone number is (571) 272-3965. The examiner can normally be reached on 8:00 AM - 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A. Follansbee can be reached on (571) 272-3964. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jinsong Hu
September 30, 2005


JOHN FOLLANSBEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100